GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Environment, Forests, Science & Technology Department - Disciplinary proceedings initiated against Sri D. Rama Sastry, Forest Section Officer (Retd.), earlier worked in G.L. Puram Section, Kurupam Range, Vizianagaram Division, Visakhapatnam Circle, under Rule 20 of A.P. Civil Services (Classification, Control and Appeal) Rules, 1991 read with Rule 9 of A.P. Revised Pension Rules, 1980 – Imposition of penalty of "Withholding of 2% of pension permanently besides recovery of Rs.1,00,322/- with interest from the date of loss caused to the Government to till the date of recovery as per G.O.Ms.No.33, Finance (TFR.I) Dept., dated 09.02.2006 and also treating the suspension period i.e., from 24.06.2003 to 29.01.2004 as not on duty" against the Charged Officer Sri D. Rama Sastry, Forest Section Officer (Retd.) – Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE& TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.MS.No. 20 **Dated: 07-04-2025**

Read the following:-

1)From the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri, Lr.Ref.No.9479/2011/A&DC- 2(ii), dated 09.11.2023.
2)Govt. Memo.No.2779/Sec.IV/A1/2023, E.F.S. & T. (Sec.IV) Department, dated 17.10.2024.
3)Govt. Memo.No.2779/Sec.IV/A1/2023, E.F.S. & T. (Sec.IV) Department, dated 17.10.2024.
4)From Sri D. Rama Sastry, Forest Section Officer (Retd.), earlier worked in G.L. Puram Section, Kurupam Range, Vizianagaram Division, Visakhapatnam Circle, Written representation, dated 17.02.2025.

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ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri has informed that the following Articles of Charges were issued to Sri D. Rama Sastry, Forest Section Officer, G.L. Puram Section, Kurupam Range, Vizianagaram Division by the Divisional Forest Officer, Vizianagaram in Rc.No.2760/2003/S3, dated 06.08.2003, under Rule 20 of A.P. Civil Services (Classification, Control and Appeal) Rules, 1991:-

Article-I	That he had while working as FSO, G.L. Puram Section of Kurupam Range exhibited gross neglect of duty and shown lack of devotion to duty which resulted in certain irregularities while carrying out R.F.D. works in Darshini Beat which were pointed out by Divisional Forest Officer, Vig-II, O/o the Prl.CCF., A.P., Hyderabad, during his inspections conducted from 11.06.2003 to 14.06.2003 and thereby contravened Rule-3 of APCS (Conduct) Rules,1964.
Article-II	That he had while working as FSO, G.L. Puram Section of Kurupam Range exhibited gross neglect of duty and shown lack of devotion to duty resulted excess booking of expenditure to a tune of Rs.25,083/- while carrying out the R.F.D. works in Darshini Beat and resulted loss sustained to Govt., to tune of Rs.25,083/- and thereby contravened Rule-3 of APCS (Conduct) Rules, 1964.
Article-III	That he while working as FSO, G.L. Puram Section of Kurupam Range exhibited gross neglect of duty and shown lack of devotion to duty and carried out work excess than the sanctioned estimate in D.S.O. no.45/2002-03 and thereby contravened to Article 157 of AP. Financial Code. Resulted

	carrying out of excess work than then sanctioned estimate to a tune of Rs.20,000/- and thereby contravened Rule-3 of APCS (Conduct) Rules, 1964.
Article-IV	That he while working as FSO, G.L. Puram Section of Kurupam Range exhibited gross neglect of duty and shown lack of devotion to duty resulted variation of works detected by Sri K. Nageswara Rao, FRO (FAC.), Kurupam Range during his field inspections carried out from 25.06.2003 to 28.06.2003 there by the total deviations in carrying out CCT, RFD, PTs and Staggered Trenches work in G.L. Puram Section works out to be Rs.80,322/- and thereby contravened Rule-3 of APCS(Conduct) Rules, 1964.

2. After following due procedure, the disciplinary case was finalized by the Divisional Forest Officer, Vizianagaram in Proc.No.2760/2003/S3, dated 31.03.2009 against the charged officer by awarding a penalty of "stoppage of his next increment with cumulative effect, besides ordering for recovery of Rs.1,00,322/-"

3. Aggrieved by the above, the individual has preferred an appeal petition before the Chief Conservator of Forests, Visakhapatnam Circle and the same was allowed and modified the punishment to that of "stoppage of one increment without cumulative effect, besides recovery of Rs.1,00,322/-" vide Proc.No.6900/2009/M8, dated 30.04.2010.

4. Aggrieved by the above, the individual has filed O.A.No.1232/2011 before the Hon'ble APAT, Hyderabad and the Hon'ble APAT in its orders, dated 01.07.2015 in O.A.No.1232/2011 with VMA.No.883/2011 has made the following:

> *"7. Having regard to the facts and circumstances obtained in this case, the impugned orders issued in Proc.Rc.no.2760/2003/S3, dated 31.03.2009 and modification orders issued in proceedings No.Ref.No.6900/2009/M8, dated 30.04.2010 issued by the 2nd Respondent are liable to be set aside and are hereby* ***set aside.*** *The competent authority is not precluded from passing orders by following rules by examining the witnesses giving liberty to the applicant for cross examining them. The OA is disposed of accordingly. VMA stands closed. No costs".*

5. Accordingly, the Principal Chief Conservator of Forests & Head of Forest Force, A.P., has issued instructions to the concerned to complete the inquiry duly following the rules & procedures in force and pass appropriate orders as directed by the Hon'ble APAT.

6. Since, the finding of the Inquiry Officer were not drawn as per the orders of the Hon'ble APAT, Hyderabad, on communication, the Chief Conservator of Forests, Visakhapatnam Circle in Rc.No.2039/ 2011/M8, dated 30.09.2019 has forwarded the revised findings to the Principal Chief Conservator of Forests & Head of Forest Force, wherein, the Inquiry Officer concluded as follows:

Revised findings:

Article-I	As observed from the charges of the Article and explanation submitted by the Charged Officer there is no valid excuse, the failure on the part of the Forest Range Officer cannot ruled out for not guiding him properly. Hence, a lenient view may be taken.
Article-II	As observed from the Article of Charges and as per the statement reproduced, the Charged Officer had not incurred any expenditure. Hence, the charge is not proved.

Article-III	It is observed that the Charged Officer executed 246.80 Cum. of RFD works as against sanctioned quantity of 148.07 Cum and it is evident that the Charged Officer executed the work and incurred expenditure without sanction of estimate. Hence, a lenient view may be taken.
Article-IV	a) Continues Contour trench in Dulikuppa:- The Charged Officer accepted the deficit in measurements and attributed the same to siltation of soil due to rain. He failed to produce any copy of document which allows variation in measurements and held responsible for the excess expenditure of Rs.30,000/-. b) Percolation Tank in Puttajammu:- The explanation of the Charged Officer that there would be variation in the earth work(quantity) due to heavy rain, etc., cannot be taken into consideration and liable for excess expenditure of Rs.15,690/-. c) i) Rock fill dam in Yeguvamanda: The Charged Officer accepted the deviation and the excess expenditure of Rs.4,650/- should be ordered for recovery. ii) Staggered trench at Yeguvamanda:- Being joint signatory and a responsible Section Officer, it is the responsibility of the Charged Officer for which the funds are drawn. The CO is expected to draw funds only after completion of work, recording of "M" book and preparation of vouchers for irregular expenditure of Rs.29,982/-. Hence, Charge is proved. The Charged Officer in his explanation dt.11.11.2003 denied the contention of the AoC and attended the Inquiry concluded earlier.He has also utilized the opportunity given to him, cross examined the witness chosen by him on 08.08.2007. On observation of further defense statement cum explanation dt.08.12.2008, the Charged Officer has relied on the sharing of responsibilities earmarked in G.M.no.6836/For.IV/04-4, dt.22.11.2005, for the deviation in works.

"Basing on the available records, the charge is proved and the loss sustained to the Government to a tune of Rs.1,00,322/- is recoverable from the Charged Officer".

7. The Principal Chief Conservator of Forests & Head of Forest Force has communicated the findings of the Inquiry Officer to the Charged Officer in Ref.No.9479/2011/A&DC-2, dated 13.11.2019. The Charged Officer acknowledged the receipt of the final notice on 10.12.2019 and submitted his written representation, dated 10.12.2019, wherein he did not put–forth any valid / new points.

8. The disciplinary proceedings are continued under Rule 9 of A.P. Revised Pension Rules, 1980, since the Charged Officer has retired from Government Service on attaining the age of superannuation on 31.08.2018.

9. In the Govt. Memo. 2nd read above, the Principal Chief Conservator of Forests & Head of Forest Force was requested to take necessary action for reverting the earlier punishment to the extent of "stoppage of one increment without cumulative effect" imposed against Sri D. Rama Sastry, Forest Section Officer, G.L. Puram Section of Kurupam Range of Vizianagaram Division of

Visakhapatnam Circle, under Rule 20 of A.P.Civil Services (Classification, Control and Appeal) Rules, 1991 by the Chief Conservator of Forests, Visakhapatnam Circle vide Proc.No.6900/2009/M8, dated 30.04.2010, as the same was set-aside by the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad in its orders, dated 01.07.2015 in O.A.No.1232/2011 with VMA.No.883/2011 filed by the individual.

10. After careful examination of the matter keeping in view of the findings of the Inquiry Officer, Government have taken a provisional decision to impose a penalty of "Withholding of 2% of pension permanently besides recovery of Rs.1,00,322/- with interest from the date of loss caused to the Government to till the date of recovery as per G.O.Ms.No.33, Finance (TFR.I) Dept., dated 09.02.2006 and also treating the suspension period i.e., from 24.06.2003 to 29.01.2004 as not on duty", against Sri D. Rama Sastry, Forest Section Officer (Retd.), earlier worked in G.L. Puram Section, Kurupam Range, Vizianagaram Division, Visakhapatnam Circle, under Rule 9 of A.P. Revised Pension Rules, 1980. Accordingly, in the Govt. Memo. 3rd read above, a Show-cause Notice was issued to the Charged Officer with a direction to submit his written representation if any, on the proposed penalty to be imposed against him. The Charged Officer has submitted his written representation vide reference 4th read above wherein, he did not put-forth any new grounds/valid points to consider his written representation.

11. Government after careful examination of the entire matter, have decided to impose a penalty of "Withholding of 2% of pension permanently besides recovery of Rs.1,00,322/- with interest from the date of loss caused to the Government to till the date of recovery as per G.O.Ms.No.33, Finance (TFR.I) Dept., dated 09.02.2006 and also treating the suspension period i.e., from 24.06.2003 to 29.01.2004 as not on duty", against Sri D. Rama Sastry, Forest Section Officer (Retd.), earlier worked in G.L. Puram Section, Kurupam Range, Vizianagaram Division, Visakhapatnam Circle, under Rule 9 of A.P. Revised Pension Rules, 1980. Accordingly, Government hereby order to impose a penalty of "Withholding of 2% of pension permanently besides recovery of Rs.1,00,322/- with interest from the date of loss caused to the Government to till the date of recovery as per G.O.Ms.No.33, Finance (TFR.I) Dept., dated 09.02.2006 and also treating the suspension period i.e., from 24.06.2003 to 29.01.2004 as not on duty", against Sri D. Rama Sastry, Forest Section Officer (Retd.), earlier worked in G.L. Puram Section, Kurupam Range, Vizianagaram Division, Visakhapatnam Circle, under Rule 9 of A.P. Revised Pension Rules, 1980.

12. The Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri D. Rama Sastry, Forest Section Officer (Retd.), earlier worked in
G.L.Puram Section, Kurupam Range, Vizianagaram Division,
Visakhapatnam Circle through the Principal Chief Conservator of Forests
& Head of Forest Force, A.P., Mangalagiri.
The Principal Chief Conservator of Forests & Head of Forest Force,
A.P., Mangalagiri.

Copy to:

The Accountant General (A&E), Andhra Pradesh, Vijayawada.
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi
SF/SC (Computer No.2292366).

//FORWARDED ::BY ORDER //

SECTION OFFICERP